

**REMARKS/ARGUMENTS**

This application has been reconsidered carefully in light of the Office Action dated as mailed on 07 November 2003. A careful reconsideration of the application by the Examiner in light of the foregoing amendments and the following remarks is respectfully requested.

5                This response is timely filed as it is filed within the three (3) month shortened statutory period for response to the outstanding Office Action.

              This response is also accompanied with a check and/or authorization to charge deposit account for any additional claim fee due as a result of this Amendment because the number of independent claims exceeds the number of independent claims for which fees have previously been paid, the total number of claims exceeds the total number of claims for which fees have previously been paid, or both.

**Amendments to the Specification**

15                By the above, the specification has been amended in the paragraph at page 18, line 18 through page 19, line 14, to correct a typographical error; in the paragraph at page 22, line 11 through page 23, line 2, to refer to ITLX detonating cord; and in the paragraph at page 25, lines 14-20, to delete reference to the reference numeral 125.

**Amendments to the Claims**

              By the above,

- 20                1.        Claims 6 and 7 have each been rewritten in independent form including all of the limitations of the base claim and any intervening claims;
2.        Claims 2-5, 12-14 and 26 have been rewritten to depend on claim 7;
3.        Claims 1 and 16 have been canceled without prejudice, and

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4. Claims 31-40 have been added to more fully and completely claim the disclosed subject matter.

Newly added claims 31-40 generally parallel originally filed claims 7, 12-15 and 26 except that they are dependent on claim 6.

5. Claims 2-15, 17-20 and 26-40 remain in the application.

#### **Election/Restrictions**

That none of the claims are withdrawn from further consideration and that the Action relates to the merits of all the claims in the application is noted with appreciation.

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#### **Allowable Subject Matter**

As a preliminary matter, the undersigned wishes to thank Examiner Culbreth for the allowance of claims 17-20 and 28-30 and the indication of allowable subject matter in claims 6-11 and 27.

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By the above, claims 6 and 7 have each been rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view thereof, claims 6-11 and 27 are believed to be in condition for allowance and notification to that effect is solicited.

#### **Objections to the Drawings**

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1. The drawings were objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the reference sign "125" mentioned in the description.

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By the above, the specification has been rewritten to no longer refer to the reference numeral 125. In view thereof, this basis of objection is believed to have been overcome or rendered no longer applicable and notification to that effect is solicited.

2. The drawings were objected to as failing to comply with 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims.

By the above, claim 16, that had required the tubular housing to be of non-circular cross section, has been cancelled. In view thereof, this basis of objection is believed to have been overcome or rendered no longer applicable and notification to that effect is solicited.

### **Objections to the Specification**

The disclosure was objected to because of certain alleged informalities, each addressed below:

a. Page 11, line 3 was objected to for using a term, i.e., “sheath covering”, allegedly not previously mentioned in the specification.

It is noted that the term “sheath covering” appears earlier in the specification such as at page 10, lines 18-19. Moreover, the specification makes clear that the sheath covering is disposed about the exterior of the tubular housing and is generally effective to retain therewithin fragmentary portions of the tubular housing such as may be formed upon the opening thereof. Further, the specification discusses and describes the sheath covering feature in greater detail such as at page 24, lines 4-13.

b. The Action alleges that page 16, line 9 and the remainder of the specification is not clear as to what is meant by “sensitizing gas.”

“Sensitizing gas” is described in detail in the specification such as at page 18, line 18 through page 19, line 14, for example.

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c. At page 18, line 21 to page 19, line 1, the term “argon of mixtures” has been rewritten as --argon or mixtures-- to correct an apparent typographical error.

d. The Action alleges that it is not clear what is meant by “ITLX”.

5. By the above, the specification, in the paragraph at page 22, line 11 through page 23, line 2, has been rewritten to refer to ITLX detonating cord in an effort to make it expressly clear that what is meant by “ITLX”.

10 In view of the above, the various objections to the specification are believed to have been overcome or otherwise rendered inappropriate and notification to that effect is solicited.

**Claim Rejections - 35 U.S.C. §102(b)**

Claims 1, 2, 12, 14, 16 and 26 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,660,803 to Brede et al. (hereinafter “Brede”).

15 By the above, claims 1 and 16 have been canceled without prejudice, thus rendering moot the rejection thereof.

20 Claims 2, 12, 14 and 26 have each been rewritten to depend on claim 7. As claim 7 has been indicated as allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims and as claim 7 has been so rewritten, claims 2, 12, 14 and 26 are also believed to be allowable over the prior art of record and notification to that effect is solicited.

**Claim Rejections - 35 U.S.C. §103**

1. Claims 3, 4 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Brede in view of U.S. Patent 5,028,070 to Bender (hereinafter "Bender").
2. Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Brede in view of U.S. Patent 5,851,030 to Johnson et al. (hereinafter "Johnson").
3. Claim 13 was rejected under 35 U.S.C. §103(a) as being unpatentable over Brede in view of U.S. Patent 5,684,269 to Barnes et al. (hereinafter "Barnes").

Claims 3-5 and 13 have each been rewritten to depend on claim 7. As claim 7 has been indicated as allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims and as claim 7 has been so rewritten, claims 3-5 and 13 are also believed to be allowable over the prior art of record and notification to that effect is solicited.

Claim 15 is dependent on claim 14. By the above, claim 14 has been rewritten to depend on claim 7. As claims 7 and 14 are believed to be allowable over the art of record, so to claim 15 is also believed to be allowable over the prior art of record and notification to that effect is solicited.

**Newly Added Claims**

Claims 31-40 have been added.

Each of claims 31-40 depends on claim 6. As claim 6 has been indicated as allowable if rewritten in independent form to include all of the limitations

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of the base claim and any intervening claims and as claim 6 has been so rewritten, claims 31-40 are also believed to be allowable over the prior art of record and notification to that effect is solicited.

5. **Conclusion**

In view of the above, all pending claims are believed to be in condition for allowance and notification to that effect is solicited. However, should the Examiner detect any remaining issue or have any question, the Examiner is kindly requested to contact the undersigned, preferably by telephone, in an effort to expedite examination of the application.

Respectfully submitted,



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